

# **BEAR LAKE COMPREHENSIVE MANAGEMENT PLAN PRELIMINARY ISSUE STATEMENTS (June 2008)**

The Bear Lake Comprehensive Management Plan (CMP) Preliminary Issue Statements present the issues and opportunities, identified through public and agency scoping, that will be addressed and solved through the course of the project. Although the Issue Statements provide a necessary foundation for the CMP planning process by representing both public and agency opinions, some of the statements may reflect “perceptions” rather than factual data. The Issue Statements are intended to clarify the scope of each concern and to provide the foundation for the development of CMP Goals and Objectives. The Preliminary Issue Statements are divided into the following Issue Categories: (A) Public Outreach and Partnerships, (B) Water Resources, (C) Recreation and Scenic Resources, (D) Natural and Cultural Resources, and (E) Land Management.

## **Issue Category A: Public Outreach and Partnerships**

### **Issue A1: Public Outreach and Education**

As the CMP process unfolds, there is a need to educate the general public on the role of the various jurisdictions and players involved in the planning process, the purpose of sovereign lands, and the role the Public Trust Doctrine has in the management of those lands. The public meetings and planning meetings can be tools to disseminate information and help create consensus, openness, and understanding. Following adoption of the CMP, there exists a vehicle to distribute information to civic organizations, county commission, city council meetings, and other venues. Signage, web-sites, brochures, and other information sources could also be used for such information.

### **Issue A2: Multi-Jurisdictional Responsibilities**

Multiple Federal, State, and local agencies have management responsibilities for a variety of natural and recreational resources at Bear Lake, as the lake straddles two Federal regions, two states, and two counties. However, natural resources such as vegetation, fish, and wildlife, as well as visitors to Bear Lake, do not recognize these jurisdictional boundaries. This situation sometimes results in discrepancies between agencies as to how regulations are enforced on nearby landowners or visitors and how resources are managed between different jurisdictions. Although some land or resource management agencies do coordinate regularly on specific resources (e.g., fish, wildlife, or water), there is no coordinated plan for comprehensive management of all resources. In addition, communication between resource management agencies, land owners, stakeholders, and users needs to be consistently maintained.

## **Issue Category B: Water Resources**

### **Issue B1: Water Quality**

Water quality at Bear Lake is considered to be good and should be managed to maintain or improve the existing water chemistry to ensure the trophic status of the lake. There is concern regarding septic systems on private lands surrounding the lake and the need to eventually have these areas connected to a sanitary sewer system. In addition, with the high concentrations of recreationists along the shoreline during the summer season there are concerns with sanitation in these areas. The Project Team will research the necessary data to identify effects, if any, to water quality for all State beneficial use designations.

### **Issue B2: Water Rights, Water Use, and Water Level Fluctuations**

The Utah Power and Light Company (currently Rocky Mountain Power) secured water rights to store Bear River flows in Bear Lake. Water in the Bear Lake basin has been used for irrigation and electrical generation since the mid 1800's. The top 20 feet of water at Bear Lake (i.e., water above reservoir elevation 5904) is used for these purposes. Water level fluctuations at Bear Lake are a concern for recreation and management of sovereign lands. Of particular concern is the affect of water levels on recreational uses, concessionaires, landowners, downstream users, invasive species, water quality, vegetation management, and park facilities.

## **Issue Category C: Recreation and Scenic Resources**

### **Issue C1: Recreation Development**

Recreational use of Bear Lake has increased tremendously during the past ten years. There are seven Utah State Park Fee Areas and some 18 No Fee Areas at Bear Lake. As visitation continues to grow, there is a concern with the carrying capacity of the existing public beach areas. Some existing public beach areas may need to be expanded and new areas developed to relieve overcrowding. In addition, there is pressure to expand the existing public marina at Bear Lake State Park. Private land developments around the lake are also increasing, as are their needs for access and recreational facilities. Management of the growth and expansion of recreational developments needs to be a major focus of the CMP. Coordination with adjacent communities will be critical to addressing infrastructure needs (e.g., roads, access, sanitation, and water) and supporting development (e.g., restaurants, retail stores, and clinics) on adjacent lands.

### **Issue C2: Recreation Facilities**

Management and maintenance requirements will need to be addressed if new recreation facilities are provided. There are also security and law enforcement concerns about such facilities, mostly related to vandalism and littering. Inadequate sanitation facilities on sovereign lands is a concern to many. The need for additional boat launches and boat docks has been expressed. The State requires a permit for docks that are tied to sovereign lands. Water level fluctuations and hazards to navigation are a concern with these facilities. Land owners need a "one stop shopping" type of program for securing these permits. Improvements to existing parking areas and development of additional parking areas also needs to be explored.

**Issue C3:      Recreational Use Conflicts**

With heavy visitation to beach areas during the summer, limiting or controlling access is a major issue. Of particular concern is the safety of swimmers and pedestrians where there is use of motorized vehicles. Beach areas are popular for ATV uses and there is the perception of a lack of management of these uses on sovereign lands. Vehicles are often seen driving into the water, and as use increases pollution will likely increase at these beach areas. In addition, there are few wakeless zones on the lake. Conflicts also occur when adjacent landowners are unable to use the beach in front of their property due to heavy public use.

**Issue C4:      Collection and Use of Fees**

There is not adequate funding to provide for safe and enjoyable public use. Fees may be required to provide for improved management of sovereign lands.

**Issue C5:      Scenic Resources**

The Bear Lake Planning Unit has a unique and distinctive scenic quality as an “oasis” in an otherwise desert environment. Many view the scenic quality of Bear Lake and the surrounding environment as essential to the health of the tourism, recreation, and resort industries in the area. The importance of preserving viewsheds and maintaining scenic quality should be considered, including the preservation of the lake’s famous azure blue water color.

**Issue Category D: Natural and Cultural Resources****Issue D1:      Noxious and Invasive Weeds**

The introduction and spread of noxious and invasive weeds within the Bear Lake Planning Unit are major concerns. An Integrated Pest Management Plan is needed.

**Issue D2:      Lake Fishery**

Bear Lake is a Blue Ribbon Fishery. Maintaining a good fishery at Bear Lake is very important. It is also a recreation concern for Bear Lake State Park, since the quality of fishing can have an effect on State Park visitation. The lack of fish habitat (e.g., rocky substrate) at low water levels is also a concern.

**Issue D3:      Shoreline Erosion**

Flood control and irrigation management can have a negative affect on the lake shoreline. Bank erosion is occurring in certain areas of Bear Lake, including the inlet area, the retaining wall abutting the State Park, and the southwest shoreline area. Eroding shorelines in public use areas should be further identified.

**Issue D4:      Vegetation Management**

Adjacent land owners receive inconsistent management recommendations from differing agencies.

**Issue D5:     Pest Control**

There are concerns about mosquito breeding habitat in the Bear Lake Planning Unit and some types of submerged aquatic weeds and pests that are being introduced by boats.

**Issue Category E: Land Management**

**Issue E1:     Beach Access**

There is confusion on the location, maintenance, and regulations governing public access to sovereign lands at Bear Lake. Accessible facilities for public boating and fishing activities need to be addressed. Input from the public has included suggestions to maintain, improve, or increase beach access, while others have stated there needs to be limits, controls, or modifications to decrease public access.

**Issue E2:     Law Enforcement**

Rules and regulations that provide for public use, enjoyment, and safety of sovereign lands are not being uniformly enforced.

**Issue E3:     Signage**

Public access locations are not well signed and there is a need for additional orientation signs for visitors.

**Issue E4:     Special Use Permitting**

Adjacent landowners wishing to place structures such as floating docks, boat ramps, wheeled piers, seawalls, or marinas are required to obtain a permit from the State of Utah and the U.S. Army Corps of Engineers. No new permitting is allowed until the CMP is completed. However, existing permits can be renewed in the interim when they expire.

**Issue E5:     Boundary Settlements**

The State of Utah will continue to settle the location of the 5,923.65 foot elevation (i.e., the boundary of sovereign lands) with adjacent land owners.

**Issue E6:     Minerals Leasing**

Currently, there is a temporary withdrawal of minerals leasing or minerals production within the Bear Lake Planning Unit. It has been suggested that because of the unique recreational and scenic values associated with the Bear Lake Planning Unit, a longer-term withdrawal of minerals leasing or minerals production should be considered.